

Application No.: 10/616,055
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REMARKS

This Amendment is in response to the Office Action dated April 1, 2008, which requires an election between 6 Groups and a further election of a distinct species of crosslinked hydrogel or macromer precursor. Claims 6-10, 12-19, 23, 26-36, and 41-72 have been cancelled without prejudice for future prosecution.

Applicant selects Group III for prosecution: claims 12, 14, 26-27, 34-35, 42-43, and 59-60, drawn to a medical implant comprising a crosslinked hydrogel polymerized from at least one macromer, where the macromer, before polymerization, comprises a synthetic hydrophilic polymer. A distinct species was required for election, the species elected is a poly(ethylene)glycol diacrylate macromer, e.g., as at the Application Example 1. Claims 1-5, 11, 20-22, 24, and 37-40 read on the elected species. Rejoinder of withdrawn claims upon allowance of claim 1 is requested.

Claim 1 has been amended to include the limitations of claim 12 (synthetic hydrophilic polymer), claim 13 (rod, a sphere, a block, a sheet, tube), claim 14 (polyethylene glycol) and 70 (cylindrical roll, restated as "a sheet rolled from one edge to another to form a roll"). New claims 73-76 recite elements in the Markush Group of claim 1.

The Examiner is thanked for the courtesy of telephonic discussions on about March 25 and March 28, 2008. The Examiner pointed to allowable subject matter but no agreement was ultimately reached.

The Examiner is invited to contact the undersigned to renew the discussion in light of the amended claims to determine if prosecution can be further facilitated.

Respectfully submitted,



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